

Chapter 17.20A

INDUSTRIAL LAND BANK URBAN GROWTH AREA

- 17.20A.010 Purpose.
- 17.20A.015 Designation of industrial land bank.
- 17.20A.020 Permitted uses.
- 17.20A.030 Application

17.20A.010 Purpose.

The purpose of this section is to provide guidelines for the planning and development of the urban growth areas in the county which are or may be designated as industrial land banks not associated with a city.

17.20A.015 Designation of industrial land bank other than reclaimed surface coal mine sites.

Consistent with the requirements of RCW 36.70A.367, a bank of up to two master planned locations for major industrial activity outside an urban growth area may be designated within Lewis County. The following criteria shall be used in reviewing any application for any master planned location/industrial land bank designation:

- (1) Only two sites shall be designated as consistent with RCW 36.70A.367.
- (2) In addition to meeting the requirements of RCW 36.70A.367(2) and (8), any site proposed for designation under that section shall:

- (a) Be located adjacent to or within 10 miles of a city or urban growth area;
- (b) Contain large, developable lots or parcels of a size not readily available within cities or urban growth areas, consistent with RCW 36.70A.367(8);
- (c) Require that at least 50 percent of the industries locating within the industrial land bank be either rail-dependent or dependent on an interstate highway for transportation needs.
- (d) Locate in an area with sufficient infrastructure or in an area where necessary infrastructure can be readily and efficiently provided;
- (e) Locate in an area not overly constrained by resource land or critical area constraints.

- (3) No development in a designated industrial land bank shall be approved until all the requirements of this chapter have been met.

17.20A.020 Permitted uses.

Specific permitted uses on the property shall be established through the master plan process and the approved master plan shall become the subarea plan and development code for the property, identifying uses, standards and procedures for approval, consistent with the intent and purpose of the Lewis County Comprehensive Plan and the criteria in 17.20A.015 (2).

17.20A.030 Application.

Proposals for development in a designated master planned industrial land bank shall be in the form of an application including the information listed below. The application must be signed by the owners of at least 50 percent of the property for which the application is intended, or by their representative. The application shall identify:

- (1) The owner or owners of the property to be planned, which shall be the entire parcel or parcels designated as an industrial land bank in the comprehensive plan.
- (2) The legal description of the property to be developed including all separate ownerships within the development area.
- (3) A map or series of maps at a scale directed by the administrator showing:

- (a) Boundaries of the designated area.
- (b) Boundaries of individual ownerships.
- (c) Dedicated rights-of-way or easements over, across, or under the property.
- (d) Existing roads, highways, and driveways abutting the site and within one-half mile of the site.
- (e) Property ownerships within one-half mile of the site.
- (f) Wells within the development area or within 1,000 feet of the boundary of the site, which are used for domestic use identified through well log or water right records.
- (g) A general identification and location of all critical areas (LCC 17.35 and 17.35A) on the site or within 1,000 feet of the site and any streams or water bodies subject to jurisdiction under Chapter 90.58 RCW, the State Shoreline Management Act.
- (h) A land use plan showing proposed land use categories and areas, circulation, critical area buffers and open space.

- (4) A phasing plan which describes the proposed phases for development and how the phases are designed to assure the overall coordinated development of the site and its integration into the surrounding community.

- (5) An environmental checklist or a request to proceed directly to scoping under SEPA. Any environmental review shall provide special studies as directed by the administrator, which address:

- (a) On-site and off-site critical areas, issues, protection, and mitigation.
- (b) Transportation. Present facilities and upgrades if required, new facilities and phasing, on-site and off-site impact and mitigation required.

(c) Water, wastewater, stormwater facilities in place, facilities necessary to serve the new development by phase, and potential impact on off-site facilities, critical areas, or water resources.

(6) An inventory of land meeting the requirements of RCW 36.70A.365(2)(h) and 36.70A.367(2)(c).

17.20A.040 Complete application vesting.

Upon receipt of a master plan application under this chapter, and the payment of the prescribed fee in the county fee schedule, the county shall, within 28 days, issue a letter of completeness or identify the specific information required for a complete application. If no letter is sent, the application shall be deemed complete upon the 29th day after receipt of the application. If a letter is sent, the application shall be deemed complete upon receipt of the information identified in the letter. If the applicant does not submit the necessary information in writing to complete an application within a 90-day period, the county shall make findings and issue a decision that the application is rejected. If the county rejects an application, all vesting rights are lost. [Ord. 1179J §1, 2005; Ord. 1170B, 2000]

17.20A.050 Process - Master plan approval

(1) Environmental review shall be noticed and processed in accordance with Chapter 17.110 LCC, and address applicable items for hearing examiner consideration pursuant to LCC 17.20.060(3) and (4). An open record appeals hearing before the hearing examiner arising from such environmental review shall be consolidated with the public hearings described below. Public participation in subsequent appeals shall be limited to parties and issues to the appeal, in accordance with Chapter 17.110 LCC.

(2) Once environmental review is complete, the application shall be processed as one consolidated public hearing before the hearing examiner as an application for a master plan, and before the planning commission as an application for amendments to the comprehensive plan and development regulations. This process shall incorporate specific public participation procedures pursuant to RCW 36.70A.140.

(3) The planning commission shall hold one or more workshops to be briefed on the legal basis for the application; the results of the environmental review; the staff review and public comments pertaining to the proposal to be considered by the hearing examiner; and the draft proposals for amendments to the comprehensive plan and development regulations, as authorized in RCW 36.70A.365 and 36.70A.367. The workshop(s) shall include discussion of all aspects of the commission's responsibilities under RCW 36.70A.365(2) and 36.70A.367(2) as they pertain to the application.

(4) The county will publish a notice of public hearing and circulate the draft proposals for comment and public hearing. Notice of the consolidated public hearing shall be by publishing notice of the hearing not less than 10 days prior to the hearing and mailing notice to all property, owners of record within 1,000 feet of the site. The county staff report and supporting materials shall be available to the public at the time of publication and mailing of the notice.

(a) The draft proposal shall be made available to the public at least 15 days prior to the scheduled hearings. To facilitate public review, copies of the proposals with related materials and information shall be available at the Lewis County department of community development and on-line at its web page, and at locations in the affected area. Such locations may include:

(i) Timberland Regional libraries (five) located at: Chehalis, Centralia, Salkum, Randle, and Winlock.

(ii) Lewis County Senior Centers (five) located at: Morton, Toledo, Twin Cities (Chehalis), Packwood, and Winlock.

(b) Copies of the proposal shall also be sent to the state department of commerce for the 60-day Growth Management Act review. Materials shall also be sent to all incorporated cities and recognized tribes in the county and to state, local, and federal agencies which have requested in writing that they receive copies of all notice materials.

(5) In the consolidated hearing, the hearing examiner shall hold an open record hearing with respect to the master plan. In the consolidated public hearing, the planning commission shall hold a hearing with respect to amendments to the comprehensive plan and development regulations. Following the consolidated public hearing, the hearing examiner and planning commission shall deliberate and make their respective recommendations to the board of county commissioners on the master plan and amendments to the comprehensive plan and development regulations. The planning commission may hold one or more workshops to consider matters raised during the hearings, and shall take final action recommending approval, denial, or approval with conditions at a public meeting. The county will retain a record of all materials received or submitted during its workshops and the consolidated public hearing.

(7) The final decision on the master plan and on the amendments to the comprehensive plan and development regulations shall be made by the board of county commissioners after the receipt of the written recommendations from both the planning commission and the hearing examiner.

(a) The board of county commissioners shall publish a notice of public hearing on the written recommendations received from the hearing examiner and the planning commission, and make those recommendations available to the public in advance of hearing. Such materials shall be made available to the public in the same manner as the planning commission materials are made available under LCC 17.12.050(2)(b), and public notice of the hearing will be provided in the same manner as LCC 17.12.050(2)(d).

(b) The board of county commissioners will follow the hearing process format set forth for the planning commission in LCC 17.12.050(2)(e) through (g). All written comments must be received by the board of county commissioners by the close of the public participation portion of the public hearing to be considered. The board may accept, modify, or reject the recommendation of the hearing examiner and planning commission. Once adopted, the comprehensive plan and development regulations shall identify the zoning map and development regulations for the master plan area. A master plan may be amended through the same process as the original adoption. Any adopted development regulation shall become a map and separate chapter of the county zoning ordinance.

(8) Amendment to the comprehensive plan and development regulations to support a master plan is a legislative process with appeal pursuant to Chapter 36.70A RCW. Adoption of the site plan approval evidenced in the master plan is adjudicative under Chapter 36.70B RCW, with appeal pursuant to Chapter 36.70C RCW.

(9) Phasing of development, expansion, future use of land, abandonment of site and reversion to previous land use zoning shall be addressed as follows:

(a) The county recognizes that economic and other considerations may necessitate that development of industrial land bank urban growth areas may have to be phased. For phasing to be approved, the overall project plan, including general timelines for construction, illustrating building footprints and projected uses shall be detailed sufficiently to direct subsequent approvals of site and building development. Application for permits for the first phase of the development shall be filed within five (5) years of the effective date of the master plan approval, unless the master plan phasing agreement provides for a longer period of time.

(b) Expansion or amendment of the major industrial development:

(i) Beyond the boundaries of the original site plan and established urban growth area shall require a new master plan application and hearings as described in LCC [17.20.030](#); or

(ii) Within the boundaries of the original site plan and established urban growth area shall require master plan approval amendment before the hearing examiner, as described in LCC [17.20.030](#).

(c) Use of the subject property will be bound by the approved application and/or development agreement, and no other use is allowed without approvals required under subsection (7) of this section. A future application for a major industrial development that utilizes the same land area within the previously established urban growth area is approvable if the required code and statutory criteria are met. Final legislative approval following master plan approval would be unnecessary in this case, as the urban growth area is already established on the comprehensive plan maps

(d) The owners of land zoned and used for major industrial development shall be responsible for appropriate and suitable environmental remediation and/or restoration of the site in the case of abandonment of the industrial or commercial operation. The responsible party shall be identified in the development agreement and/or master plan approval. The responsibility for appropriate and suitable environmental remediation and/or restoration will be determined through environmental review of the application and commensurate with the impacts of the specific use permitted. An environmental remediation and/or restoration plan shall be established in the development agreement and master plan approval.

(10) Proximity to a major industrial development urban growth area or development or extension of infrastructure shall not provide a basis for a comprehensive plan amendment to change the land use zone for property adjacent to a major industrial development to a land use district with greater development density or more intensive uses.

Chapter 17.20B

MASTER PLANNED MAJOR INDUSTRIAL RECLAIMED SURFACE COAL MINE URBAN GROWTH AREA

17.20B.010	Purpose.
17.20B.015	Designation of industrial land bank – reclaimed surface coal mine
17.20B.020	Permitted uses.
17.29B.025	Master Plan Approval

17.20B.010 Purpose

The purpose of this section is to provide guidelines for the planning and development of the urban growth areas in the county which are or may be designated as industrial land banks located on reclaimed surface coal mine sites and not associated with a city.

17.20B.015 Designation of industrial land bank - reclaimed surface coal mine sites.

Consistent with the requirements of RCW 36.70A.368, a master planned location for major industrial activity outside an urban growth area on lands formerly used or designated for surface coal mining and supporting uses may be designated within Lewis County. The following criteria shall be used in reviewing any application for designation of a master planned reclaimed surface coal mine industrial land bank under this section:

- (1) Designation of a master planned reclaimed surface coal mine industrial land bank under this section not subject to the requirements of RCW 36.70A.130(2) and may be considered at any time.
- (2) Any site proposed for designation under RCW 36.70A.368 shall be located on lands:
 - (a) that were formerly used or designated for surface coal mining and supporting uses;
 - (b) that consist of an aggregation of land of one thousand (1,000) or more acres, which is not required to be contiguous; and
 - (c) that are suitable for manufacturing, industrial, or commercial businesses.
- (3) Provision for new infrastructure may be demonstrated by a plan for extending or otherwise supplying needed infrastructure; actual construction of new infrastructure is not required for designation.
- (4) Environmental review shall be at the programmatic level, unless the designation is being reviewed concurrent with a proposed major industrial project development application, in which case environmental review shall be at the project level.

17.20B.020 Permitted uses.

(1) A property designated in the comprehensive plan for one of the specific uses identified above may only be used for the purposes listed in the specific applicable section of the Act, as listed above. Only one section shall apply to any designated property, unless otherwise detailed in the master plan.

(2) Specific permitted uses on the property shall be detailed through the applicable master plan process described below and, except for master plans approved under the provisions of RCW 36.70A.368, the master plan shall become the subarea plan and development code for the property, identifying uses, standards and procedures for approval, consistent with the intent and purpose of the GMA section under which it is approved. For master plans approved under the provisions of RCW 36.70A.368, the permitted uses, standards, and procedures for approval are set out in the applicable provisions of Chapter 17.20 LCC.

17.20B.025 Master plan approval for major industrial development - reclaimed surface coal mine sites.

(1) This section applies to specific projects proposed within sites designated pursuant to RCW 36.70A.368 and LCC 17.20B.015 (Designation of industrial land bank - reclaimed surface coal mine sites).

(2) Environmental review shall be noticed and processed in accordance with Chapter 17.110 LCC. An open record appeals hearing before the hearing examiner arising from such environmental review shall be consolidated with the public hearings described below. Public participation in subsequent appeals shall be limited to parties and issues to the appeal, in accordance with Chapter 17.110 LCC.

(3) Once environmental review is complete, the application shall be processed as one consolidated public hearing before the hearing examiner as an application for a master plan.

(4) The hearing examiner shall hold an open record public hearing.

(5) The final decision on the master plan shall be made by the hearing examiner.

(6) The final decision on the master plan is a land use decision appealable pursuant to Chapter 36.70C RCW.

(7) Except for permits and approvals to be issued by agencies other than the county, final approval of a master plan under this section authorizes the application for building permits, subject to the terms and conditions of master plan approval.

(8) Phasing of development, expansion, future use of land, abandonment of site and reversion to previous land use zoning shall be addressed as follows:

(a) The county recognizes that economic and other considerations may necessitate that development of a major industrial development may have to be phased. For phasing to be approved, the overall project plan, including general timelines for construction, illustrating building footprints and projected uses shall be detailed sufficiently to direct subsequent approvals of site and building development. Application for permits for the first phase of the

development shall be filed within five (5) years of the effective date of the master plan approval, unless the master plan phasing agreement provides for a longer period of time.

(b) Expansion or amendment of the major industrial development beyond the boundaries of the designated area shall require full approval as described above.

(c) Future use of the land is determined and bound by the original application and/or development agreement, and no other use is allowed without an amendment of the approved master plan.

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Chapter 17.20C

ECONOMIC DEVELOPMENT URBAN GROWTH AREAS

17.20C.010	Purpose.
17.20C.020	Designation of Non-municipal Economic Development Urban Growth Areas
17.20C.030	Economic Development District.
17.20C.040	Development Standards for Lots Not Included in Sectors
17.20C.050	Sector Development
17.20C.055	Uses in Sectors
17.20C.060	Application and Approval

17.20C.010 Purpose

The purpose of this section is to provide guidelines for the planning and development of the urban growth areas in the county which are or may be designated for economic development rather than residential uses and which are not associated with a city.

17.20C.020 Designation of Non-municipal Economic Development Urban Growth Areas (EDUGAs)

The county may designate non-municipal urban growth areas to implement subarea plans. The intent of this designation is to establish areas for economic development purposes including industry, tourism, and mixed use retail/commercial uses based on forecasted demand that is beyond the capacity or location of other urban lands. The Lewis County comprehensive plan and the countywide planning policies established the basis for subarea planning and the resulting designation of the EDUGAs. Subarea plans are adopted into the comprehensive plan and implemented through this chapter. In designating the EDUGAs, the subarea plan identifies the demand, suitable locations, sizes, infrastructure requirements, and environmental protection measures specific to them. EDUGAs may be designated based on the following criteria:

- (a) Access from major highways or arterials is available;
- (b) Lands are vacant or existing development is very minimal;
- (c) Existing parcel sizes are very large – generally 20 acres or more;
- (d) The presence of critical areas is minimal; and
- (e) Urban utilities and services are, or will be available at the time of development

17.20C.030 Economic Development District (EDD)

The purpose of the Economic Development District is to establish areas that allow larger manufacturing businesses, light and medium agricultural processing uses, campus style business parks and office facilities, tourist-related and regional commercial uses in stand-alone or mixed use planned developments within the economic development UGA. The EDD is also intended to provide for enterprises that do not fit neatly under either manufacturing or commercial designations and to provide a receiving area for mixed-use planned development, larger regional retail uses, and other uses that are not accommodated in

existing zoning designations. Planned sector developments approved through the binding site plan process are the preferred uses in that they are designed to make the most economic use of urban land and provide the highest level of benefit to the community.

17.20C.035 Table of Uses (Reserved)

17.20C.040 Development Standards for Lots Not Included in Sectors

The following standards apply to individual free-standing uses contained on a single lot or parcel not part of a sector.

- Minimum Lot Area: 20,000 sq. ft.
- Minimum Lot Width: 100 feet
- Setbacks: Front yard - 30 feet when abutting a local access road or a collector road, 50 feet when abutting an arterial
- Side yard - 15 feet from property line
- Rear yard - 20 feet from property line
- Maximum Lot Impervious Coverage: 30%
- Maximum Height: 35 feet.

17.20C.050 EDUGA Sector Development

Sector developments in EDUGAs are large master-planned complexes featuring intensive use of the land for single-purpose or mixed uses. Sector development in EDUGAs is permitted through binding site plans (Chapter 15.16 LCC). Binding site plan approvals shall be made on a parcel basis. Approval of proposals for parcels larger than 20 acres shall bind the entire parcel. Approval for proposals on parcels smaller than 20 acres shall require assembly of enough land to reach the 20 acre threshold. Each EDUGA may include approved binding site plans predominately intended for industrial, retail/commercial, or tourist-oriented development, or a combination thereof. A mix of uses may be approved based on the application evidence. Each approved binding site plan shall constitute a “sector” of the EDUGA and shall be an overlay zone according to the prevailing (60% or more) land area devoted to industrial, retail/commercial, or tourist-oriented uses.

17.20C.055 Uses in EDUGA Sectors

- (1) Industrial sectors are designated for manufacturing, processing, and transportation uses as defined in this section. All other uses including, but not limited to: retail, tourist services, and residential may not occupy more than 40% of the sector except as accessory uses to the principal uses.
- (2) Retail/commercial sectors are designated for uses that include local-, and region-serving shopping, office, business service and community uses as defined in this section. All other uses including, but not limited to: industry, tourist services, and residential may not occupy more than 40% of the sector except as accessory uses to the principal uses.
- (3) Regional tourist-oriented sectors are designated for uses that include hotels, entertainment, recreation theme parks, and other hospitality uses as defined in this section. All other uses including, but not limited to industry, major retail, and residential may not occupy more than 40% of the sector except as accessory uses to the principal uses.

TABLE __: EDUGA Permitted Uses (Reserved)

17.20C.060 Application and Approval.

Development proposals for sites within other non-municipal UGAs shall be submitted and reviewed as provided by the binding site plan application and approval requirements of Chapter 15.16 LCC.

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Chapter 17.20D

NEW FULLY CONTAINED COMMUNITY URBAN GROWTH AREA

17.20D.010	Purpose.
17.20D.015	Designation of new fully contained communities
17.20D.020	Permitted uses.
17.20D.025	Application and Master Plan Approval
17.20D.030	Application Vesting
17.20D.040	Approval Process

17.20D.010 Purpose

New fully contained communities are urban-scale planned developments located in the rural area intended to contain a mix of jobs, services, recreation, and housing types and densities.

17.20D.015 Designation of new fully contained communities

(1) A new fully contained community may be approved if criteria including but not limited to the following are met in a phased process where the initial site is designated, but no development is allowed until a master plan and development agreement is approved ensuring that:

- (a) Urban level infrastructure is provided for and impact fees are established consistent with the requirements of RCW 82.02.050;
- (b) Transit-oriented site planning and traffic demand management programs are implemented;
- (c) Buffers are provided between the new fully contained community and adjacent urban development (if any);
- (d) A mix of uses is provided to offer jobs, housing, and services to the residents of the new community;
- (e) Affordable housing is provided within the new community for a broad range of income levels;
- (f) Environmental protection has been addressed and provided for;
- (g) Development regulations are established to ensure urban growth will not occur in adjacent nonurban areas;
- (h) Provision is made to mitigate impacts on designated agricultural lands, forest lands, and mineral resource lands;
- (i) The plan for the new fully contained community is consistent with the development regulations established for the protection of critical areas (LCC 17.35 and 17.35A).

(2) A new fully contained community may be approved outside established urban growth areas only if a portion of the twenty-year population projection has been allocated to it. Final approval of an application for a new fully contained community shall be considered an adopted amendment to the comprehensive plan prepared pursuant to RCW 36.70A.070 designating the new fully contained community as an urban growth area.

17.20D.020 Permitted uses.

Specific permitted uses in the fully contained community shall be established through the master plan process and the approved master plan shall become the subarea plan and development code for the property, identifying uses, standards and procedures for project approval, consistent with the intent and purpose of the Lewis County Comprehensive Plan and the criteria in 17.20D.015 (1).

17.20D.025 Application and master plan approval

Proposals for development in a designated fully contained community shall be in the form of an application including the information listed below. The application must be signed by the owners of at least 50 percent of the property for which the application is intended or by their representative. The application shall identify:

- (1) The owner or owners of the property to be planned, which shall be the entire parcel or parcels designated as an industrial land bank in the comprehensive plan.
- (2) The legal description of the property to be developed including all separate ownerships within the development area.
- (3) A map or series of maps at a scale directed by the administrator showing:

- (a) Boundaries of the designated area.
- (b) Boundaries of individual ownerships.
- (c) Dedicated rights-of-way or easements over, across, or under the property.
- (d) Existing roads, highways, and driveways abutting the site and within one-half mile of the site.
- (e) Property ownerships within one-half mile of the site.
- (f) Wells within the development area or within 1,000 feet of the boundary of the site, which are used for domestic use and are identified through well log or water right records.
- (g) A general identification and location of all critical areas (LCC 17.35 and 17.35A) on the site or within 1,000 feet of the site and the specific identification of all Type 1, 2, and 3 streams under WDF&W criteria, and any streams or water bodies subject to jurisdiction under Chapter 90.58 RCW, the State Shoreline Management Act.
- (h) A land use plan showing proposed land use categories and areas, circulation, critical area buffers and open space.

(4) A phasing plan which shows the proposed phases for development and how the phases are designed to assure the overall coordinated development of the site and its integration into the surrounding community.

(5) An environmental checklist or a request to proceed directly to scoping under SEPA. Any environmental review shall provide special studies as directed by the administrator, which address:

- (a) On-site and off-site critical areas, issues, protection, and mitigation.
- (b) Transportation. Present facilities and upgrades if required, new facilities and phasing, on-site and off-site impact and mitigation required.

(c) Water, wastewater, stormwater facilities in place, facilities necessary to serve the new development by phase, and potential impact on off-site facilities, critical areas, or water resources.

(6) An inventory of land meeting the requirements of RCW 36.70A.365(2)(h) and 36.70A.367(2)(c).

17.20D.030 Complete application vesting.

Upon receipt of a master plan application under this chapter, and the payment of the prescribed fee in the county fee schedule, the county shall, within 28 days, issue a letter of completeness or shall identify the additional specific information required for a complete application. If no letter is sent, the application shall be deemed complete upon the 29th day after receipt of the application. If a letter is sent, the application shall be deemed complete upon receipt of the information identified in the letter. If the applicant does not submit the necessary information in writing to complete an application within a 90-day period, the county may reject the application and all vesting rights are lost.

17.20D.040 Master plan approval

(1) Environmental review shall be noticed and processed in accordance with Chapter 17.110 LCC. An open record appeals hearing before the hearing examiner arising from such environmental review shall be consolidated with the public hearings, described below; except, that public participation in subsequent appeals shall be limited to parties and issues to the appeal, in accordance with Chapter 17.110 LCC.

(2) Once environmental review is complete, the application shall be processed as one consolidated public hearing before the hearing examiner as an application for a master plan, and before the planning commission as an application for amendments to the comprehensive plan and development regulations. This process shall incorporate specific public participation procedures pursuant to RCW 36.70A.140.

(3) The planning commission shall hold one or more workshops to identify the legal basis for the application; the results of the environmental review; the staff review and public comments pertaining to the proposal to be considered by the hearing examiner; and the draft proposals for amendments to the comprehensive plan and development regulations, as authorized in RCW 36.70A.365 and 36.70A.367. The workshop(s) shall include discussion of all aspects of the commission's responsibilities under RCW 36.70A.365(2) and 36.70A.367(2) as they pertain to the application.

(4) The county will publish a notice of public hearing and circulate the draft proposals for comment and public hearing. Notice of the consolidated public hearing shall be by publishing notice of the hearing not less than 10 days prior to the hearing and mailing notice to all property, owners of record within 1,000 feet of the site. The county staff report and supporting materials shall be available to the public at the time of publication and mailing of the notice.

(a) The draft proposal shall be made available to the public at least 15 days prior to the scheduled hearings. To facilitate public review, copies of the proposals with related materials and information shall be available at the Lewis County planning department and on-line at its web page, and at locations in the affected area. Such locations may include:

(i) Timberland Regional libraries (five) located at: Chehalis, Centralia, Salkum, Randle, and Winlock.

(ii) Lewis County Senior Centers (five) located at: Morton, Toledo, Twin Cities (Chehalis), Packwood, and Winlock.

(b) Copies of the proposal shall also be sent to the state department of commerce for the 60-day growth management act review. Materials shall also be sent to all incorporated cities and recognized tribes in the county and to state, local, and federal agencies which have requested in writing that they receive copies of all notice materials.

(5) In the consolidated hearing, the hearing examiner shall hold an open record hearing with respect to the master plan. In the consolidated public hearing, the planning commission shall hold a hearing with respect to amendments to the comprehensive plan and development regulations. Following the consolidated public hearing, the hearing examiner and planning commission shall deliberate and make their respective recommendations to the board of county commissioners on the master plan and amendments to the comprehensive plan and development regulations. The planning commission may hold one or more workshops to consider matters raised during the hearings, and shall take final action recommending approval, denial, or approval with conditions at a public meeting. The county will retain a record of all materials received or submitted during its workshops and the consolidated public hearing.

(7) The final decision on the master plan and on the amendments to the comprehensive plan and development regulations shall be made by the board of county commissioners after the receipt of the written recommendations from both the planning commission and the hearing examiner.

(a) The board of county commissioners shall publish a notice of public hearing on the written recommendations received from the hearing examiner and the planning commission, and make those recommendations available to the public in advance of hearing. Such materials shall be made available to the public in the same manner as the planning commission materials are made available under LCC 17.12.050(2)(b), and public notice of the hearing will be provided in the same manner as LCC 17.12.050(2)(d).

(b) The board of county commissioners will follow the hearing process format set forth for the planning commission in LCC 17.12.050(2)(e) through (g). All written comments must be received by the board of county commissioners by the close of the public participation portion of the public hearing to be considered. The board may accept, modify, or reject the recommendation of the hearing examiner and planning commission. Once adopted, the comprehensive plan and development regulations shall identify the zoning map and development regulations for the master plan area. A master plan may be amended through the same process as the original adoption. Any adopted development regulation shall become a map and separate chapter of the county zoning ordinance.

(8) Amendment to the comprehensive plan and development regulations to support a master plan is a legislative process with appeal pursuant to Chapter 36.70A RCW. Adoption of the site plan approval evidenced in the master plan is adjudicative under Chapter 36.70B RCW, with appeal pursuant to Chapter 36.70C RCW.

(9) Phasing of development, expansion, future use of land, abandonment of site and reversion to previous land use zoning shall be addressed as follows:

(a) The county recognizes that economic and other considerations may necessitate that development of a fully contained community may require phasing. For phasing to be approved, the overall project plan, including general timelines for construction, illustrating building footprints and projected uses shall be detailed sufficiently to direct subsequent approvals of site and

building development. Application for permits for the first phase of the development shall be filed within five (5) years of the effective date of the master plan approval, unless the master plan phasing agreement provides for a longer period of time.

(b) Expansion or amendment of the major industrial development:

(i) Beyond the boundaries of the original site plan and established urban growth area shall require a new master plan application and hearings as described in this chapter; or

(ii) Within the boundaries of the original site plan and established urban growth area shall require master plan approval amendment before the hearing examiner.

(10) Proximity to a fully contained community urban growth area or extension of infrastructure to serve the fully contained community shall not provide a basis for changing the land use designation and zoning of adjacent lands for greater development density or more intensive uses.

Chapter 17.20E MASTER PLANNED RESORTS

Sections:

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17.20E.010 Purpose.

Master planned resorts in Lewis County are intended to enhance and diversify the recreational and economic opportunities that complement the natural and cultural attractiveness of the area without significant having adverse impacts on environmental and natural features, cultural or historic resources and their settings, or existing development. This chapter provides for the development of planned resorts with well designed visitor-oriented accommodations, including residential, recreational, and commercial uses consistent with the comprehensive plan.

17.20E.020 Designation criteria for master planned resorts.

Master planned resorts may be sited and designated when:

- (a) The comprehensive plan specifically identifies policies to guide the development of master planned resorts;
- (b) The comprehensive plan and development regulations include restrictions that preclude new urban or suburban land uses in the vicinity of the master planned resort, except in areas otherwise designated for urban growth under RCW 36.70A.110;
- (c) The county includes a finding as a part of the approval process that the land is better suited, and has more long-term importance, for the master planned resort than for the commercial harvesting of timber or agricultural production, if located on land that otherwise would be designated as forest land or agricultural land under RCW 36.70A.170;
- (d) The county ensures that the resort plan is consistent with the development regulations established for critical areas; and
- (e) On-site and off-site infrastructure and service impacts have been fully considered and appropriate mitigation measures have been established.

17.20E.030 Permitted uses.

The following uses are permitted provided the uses are part of an approved master planned resort pursuant to this chapter:

- (1) Visitor-oriented accommodations such as lodges, hotels, motels, bed and breakfast facilities, rental homes and cabins, rental condominiums, rental townhouses, time-share units, similar transient lodging facilities, convention and conference facilities, and appropriate support facilities.
- (2) Residential dwellings such as single-family dwellings, multifamily dwellings, condominiums, townhouses, time-share units, and other residential dwellings compatible with the purposes of this section.
- (3) Developed recreational facilities such as golf courses, clubhouses, pro shops, and sports and spa facilities, and undeveloped recreational areas.
- (4) Boat docks and marinas compatible with the purposes of this section and the Lewis County Shoreline Master Program.
- (5) Commercial facilities and services such as restaurants, barber shops, beauty salons, specialty shops, real estate and other professional offices, grocery stores, pet boarding and care facilities, and other such services which provide for the needs of the community's residents and visitors and which are compatible with the purposes of this section.
- (6) Open space areas such as lakes, wetlands, golf courses, green belts, buffers, and wildlife preserves.
- (7) Facilities necessary for public safety such as fire and security stations, waste disposal, and utilities within the master planned resort or the County, notwithstanding any limiting provision of this chapter to the contrary.
- (8) Transportation related facilities, emergency medical facilities, and storage structures and areas, provided these uses are ancillary to the master planned resort.
- (9) Cultural community and entertainment facilities such as theaters, amphitheaters, galleries, arts and craft centers, and interpretive centers which are compatible with the purposes of this section.

17.20E.040 Minimum standards.

The following minimum standards apply to all master planned resorts:

- (1) A master planned resort, when approved in accordance with this chapter, is established as an overlay zone and as such, does not alter the existing, underlying zoning designation. Development standards of this chapter shall, as applied to an approved master planned resort, supersede those of the underlying zone.
- (2) Master planned resorts are urban-scale developments located in the rural area.
- (3) The resort, including buffers and open space under the control of the development, is sited on a parcel or parcels of land no less than 100 contiguous acres.

- (4) Existing state or county roads are adequate, or need minimal improvements, to serve the development.
- (5) Capital facilities, utilities, and services, including those related to sewer, water, storm water, security, fire suppression, and emergency medical, provided on-site shall be limited to meeting the needs of the master planned resort. Such facilities, utilities, and services may be provided to a master planned resort by outside service providers, including municipalities and special purpose districts; provided, that all costs associated with service extensions and capacity increases directly attributable to the master planned resort are fully borne by the resort. A master planned resort and service providers may enter into agreements for shared capital facilities and utilities; provided, that such facilities and utilities serve only the master planned resort or urban growth areas.
- (6) At least forty (40) percent of the total of the site area, shall be dedicated to a mixture of permanent open space, natural areas, and/or active recreational areas, excluding streets and parking areas.
- (7) Active recreational uses such as golf courses, pools, tennis courts and playing fields shall be provided to adequately meet the needs of the residents and guests of the master planned resort.
- (8) The maximum density for residential dwellings including hotel and motel units shall not exceed two (2) units per gross acre of the overall master planned resort. Residential dwellings for long-term occupancy shall be limited to no more than ten (10) percent of the total number of residential units.
- (9) Parking shall be provided for in accordance with a transportation management plan as submitted with the application and approved for the project.
- (10) The minimum lot area, width, frontage and yard requirements, setback standards, street standards, and building heights otherwise applying to development in the underlying zone(s) may be modified consistent with the master planned resort, as approved in conformance with this chapter.
- (11) The tract or tracts of land included in a proposed master planned resort must be in one ownership or control or the subject of a joint application by the owners of all the property included.
- (12) All uses within the master planned resort shall be harmonious with each other through the use of special design, placement, or screening.
- (13) Unless otherwise approved in accordance with applicable sign regulations, on-premises signs and off-premises signs shall be designed and erected in conformance with design guidelines, as submitted and approved with the project and off-premises signs shall be limited to those necessary for directional purposes.
- (14) Commercial services provided as part of the master planned resort shall be contained within the development and shall be oriented to serve the master planned resort. The protection of public views shall be considered in orienting such commercial services.

17.20E.050 Master plan approval

(1) Environmental review shall be noticed and processed in accordance with Chapter 17.110 LCC. An open record appeals hearing before the hearing examiner arising from such environmental review shall be consolidated with the public hearings, described below. Public participation in subsequent appeals shall be limited to parties and issues to the appeal, in accordance with Chapter 17.110 LCC.

(2) Once environmental review is complete, the application shall be processed as one consolidated public hearing before the hearing examiner as an application for a master plan, and before the planning commission as an application for amendments to the comprehensive plan and development regulations. This process shall incorporate specific public participation procedures pursuant to RCW 36.70A.140.

(3) The planning commission shall hold one or more workshops to be briefed on the legal basis for the application; the results of the environmental review; the staff review and public comments pertaining to the proposal to be considered by the hearing examiner; and the draft proposals for amendments to the comprehensive plan and development regulations, as authorized in RCW 36.70A.365 and 36.70A.367. The workshop(s) shall include discussion of all aspects of the commission's responsibilities under RCW 36.70A.365(2) and 36.70A.367(2) as they pertain to the application.

(4) The county will publish a notice of public hearing and circulate the draft proposals for comment and public hearing. Notice of the consolidated public hearing shall be by publishing notice of the hearing not less than 10 days prior to the hearing and mailing notice to all property, owners of record within 1,000 feet of the site. The county staff report and supporting materials shall be available to the public at the time of publication and mailing of the notice.

(a) The draft proposal shall be made available to the public at least 15 days prior to the scheduled hearings. To facilitate public review, copies of the proposals with related materials and information shall be available at the Lewis County department of community development and on-line at its web page, and at locations in the affected area. Such locations may include:

(i) Timberland Regional libraries (five) located at: Chehalis, Centralia, Salkum, Randle, and Winlock.

(ii) Lewis County Senior Centers (five) located at: Morton, Toledo, Twin Cities (Chehalis), Packwood, and Winlock.

(b) Copies of the proposal shall also be sent to the state Office of Community Development for their 60-day review. Materials shall also be sent to all incorporated cities and recognized tribes in the county and to state, local, and federal agencies which have requested in writing that they receive copies of all notice materials.

(5) In the consolidated hearing, the hearing examiner shall hold an open record hearing with respect to the master plan. In the consolidated public hearing, the planning commission shall hold a hearing with respect to amendments to the comprehensive plan and development regulations. Following the consolidated public hearing, the hearing examiner and planning commission shall deliberate and make their respective recommendations to the board of county commissioners on the master plan and amendments to the comprehensive plan and development regulations. The planning commission may hold one or more workshops to consider matters raised during the hearings, and shall take final action

recommending approval, denial, or approval with conditions at a public meeting. The county will retain a record of all materials received or submitted during its workshops and the consolidated public hearing.

(7) The final decision on the master plan and on the amendments to the comprehensive plan and development regulations shall be made by the board of county commissioners after the receipt of the written recommendations from both the planning commission and the hearing examiner.

(a) The board of county commissioners shall publish a notice of public hearing on the written recommendations received from the hearing examiner and the planning commission, and make those recommendations available to the public in advance of hearing. Such materials shall be made available to the public in the same manner as the planning commission materials are made available under LCC 17.12.050(2)(b), and public notice of the hearing will be provided in the same manner as LCC 17.12.050(2)(d).

(b) The board of county commissioners will follow the hearing process format set forth for the planning commission in LCC 17.12.050(2)(e) through (g). All written comments must be received by the board of county commissioners by the close of the public participation portion of the public hearing to be considered. The board may accept, modify, or reject the recommendation of the hearing examiner and planning commission. Once adopted, the comprehensive plan and development regulations shall identify the zoning map and development regulations for the master plan area. A master plan may be amended through the same process as the original adoption. Any adopted development regulation shall become a map and separate chapter of the county zoning ordinance.

(8) Amendment to the comprehensive plan and development regulations to support a master plan is a legislative process with appeal pursuant to Chapter 36.70A RCW. Adoption of the site plan approval evidenced in the master plan is adjudicative under Chapter 36.70B RCW, with appeal pursuant to Chapter 36.70C RCW.

(9) Phasing of development, expansion, future use of land, abandonment of site and reversion to previous land use zoning shall be addressed as follows:

(a) The county recognizes that economic and other considerations may necessitate that the development of a master planned resort will require phasing. For phasing to be approved, the overall project plan, including general timelines for construction, illustrating building footprints and projected uses shall be sufficiently detailed to direct the subsequent approval of site and building development. The first phase of the development shall be initiated within five (5) years of the effective date of the master plan approval, unless the permit approval provides for a greater period of time.

(b) Expansion or amendment of the approved master planned resort:

(i) Beyond the boundaries of the original site plan and established urban growth area shall require a new master plan application and hearings as described in this chapter, or;

(ii) Within the boundaries of the original site plan and established urban growth area shall require master plan approval amendment by the hearing examiner.

(c) Use of the subject property will be bound by the approved application and/or development agreement, and no other use is allowed without approvals required under subsection (7) of this section. A future application for a master planned resort utilizes the same land area within the previously established urban growth area is approvable if the required code and statutory criteria are met. Final legislative approval following master plan approval would be unnecessary in this case, as the urban growth area is already established on the comprehensive plan maps noted in Chapter [17.200](#) LCC.

(d) The owners of land zoned and used for master planned resort development shall be responsible for appropriate and suitable environmental remediation and/or restoration of the site in the case of abandonment of the project. The responsible party shall be identified in the development agreement and/or master plan approval. The responsibility for appropriate and suitable environmental remediation and/or restoration will be determined through environmental review of the application and commensurate with the impacts of the specific use permitted. An environmental remediation and/or restoration plan shall be established in the development agreement and master plan approval.

(10) Proximity to a master planned resort urban growth area or development or an associated extension of infrastructure shall not provide a basis for a comprehensive plan amendment to change the land use zone for property adjacent to the resort to a land use district with greater development density or more intensive uses.

17.20E.060 Approved master planned resort.

(1) The approved master planned resort binds the project proponents and their successors to the proposed project as approved, applicable development standards of this chapter, and conditions of approval, if any. Approval of the master planned resort confirms that the proposal is consistent with the purpose of and provisions for master planned resorts and the comprehensive plan and provides the basis upon which subsequent permits, including building permits, may be reviewed and issued.

(2) The master planned resort approval shall remain valid for fifteen (15) years; provided, the first phase of development has been approved and construction begun within five (5) years of the master planned resort approval.